

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
BRUNSWICK DIVISION

2007 SEP 18 P 3:56

UNITED STATES OF AMERICA

v.

TONY BERNETTE BLAKE

CASE NO.: CR205-48

MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Defendant filed a Motion for Psychological Examination. An order was entered directing that an examination of Defendant Blake be conducted pursuant to 18 U.S.C. § 4241. That examination has been completed, and a report has been filed, under seal, from the examining personnel. The undersigned conducted a hearing on September 18, 2007. At that hearing, counsel for Defendant stated that, based upon his review of the report and telephone conferences with the examiner, there is no longer any issue as to the mental competency of Defendant. That oral statement is consistent with the July 27, 2007, letter from Defendant's counsel, which is attached hereto.

Based upon the psychological report and the oral and written statements of Defendant's counsel, it is my **recommendation** that Defendant Blake be found competent to stand trial.

SO REPORTED AND RECOMMENDED, this 18th day of September, 2007.


JAMES E. GRAHAM

UNITED STATES MAGISTRATE JUDGE

LAW OFFICES
OF
RICHARD OTWAY ALLEN, P.C.

July 27, 2007

Honorable James E. Graham
P.O. Box 250
Brunswick, GA 31521

Re: United States of America vs. Tony Blake, Case #205-048

Dear Judge Graham,

I am in receipt of the psychological report concerning Mr. Blake. Although I don't agree with the conclusions, I will not require a hearing.

When Mr. Blake returns to Brunswick from Miami, you may wish to schedule a hearing so Mr. Blake can formally notify the Court of his dissatisfaction with my representation. It is my understanding that his family is in the process of hiring private counsel.

Yours truly,



Richard O. Allen

cc. AUSA Darrin McCollough